

January 7, 2015

**VIA ECF**

Mark Langer  
Clerk of the Court  
D.C. Circuit Court of Appeals  
333 Constitution Ave., NW  
Washington, D.C. 20001

**RE: *Delta Construction Co., et al. v. EPA* (11-1428) and consolidated cases**

Dear Mr. Langer:

Movant-intervenors the State of California, *et al.*, and Environmental Defense Fund, *et al.*, wish to notify the panel that they do not seek oral argument time, but that counsel for the respective movant-intervenors will be present at Friday's oral argument and prepared to address any questions the panel may have for them. *See* Delta Petrs Br. 54–56 (challenging propriety of intervention of both groups); *see also* State Movant-Intervenors Br. 10–12 (discussing California's regulation).

Sincerely,

/s/ Elaine Meckenstock

M. Elaine Meckenstock  
Deputy Attorney General  
Counsel for Movant-Intervenor  
State of California by and through  
the California Air Resources Board  
510-622-4450

/s/Peter Zalzal

Peter Zalzal  
Environmental Defense Fund  
2060 Broadway St., Ste. 300  
Boulder, CO 80302  
303-447-7214  
Counsel for Movant-Intervenor  
Environmental Defense Fund

**CERTIFICATE OF SERVICE**

The undersigned certifies that on the 7<sup>th</sup> day of January, 2015, the foregoing letter was served electronically through the court's CM/ECF system on all registered counsel.

/s/ Peter Zalzal  
Peter Zalzal  
Environmental Defense Fund  
2060 Broadway St., Ste. 300  
Boulder, CO 80302  
(303) 447-7214

Dated: January 7, 2015